

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SINKLER C. MARTIN JR.,

Plaintiff,

v.

CITY OF GRAND RAPIDS, MICHIGAN,

Defendant.

Case No. 06-13060

Honorable Nancy G. Edmunds

ORDER OF DISMISSAL

Plaintiff filed a complaint on July 5, 2006 against the City of Grand Rapids. The following is a sample of the allegations in Plaintiff's complaint:

I am suing the City of Grand Rapids Michigan for allowing its white people to violate my civil right and slandering, assaulting and libeling, Mr. Sinkler C. Martin Jr., and calling the City of Detroit, MI Niggerville, and accuseing [sic] the Mayor of Detroit of stealing Detroit money, because he is black. George Heartwell, the Mayor of the City of Grand Rapids, MI, was visited around six times by Mr. Sinkler C. Martin, Jr. to complain about the businesses, police department and 61st District Court, directed by George's, Judge Don Passenger of Court Room B and D in G.R., MI.

Your Honor, my name is, Sinkler C. Martin, Jr. and I love my name, and I would not defame my name by lying, I DO NOT LIE and I have NEVER LIED on another person. I have put this case together the best I could, because I am not an attorney, I need an attorney. I have mental problems, because of the City of Grand Rapids, MI, my problems are worse. This complaint demands a jury trial and relief of Ten Billion Dollars (\$10,000,000,000) and a speedy trial, because I am sixty-five years old. I need a court appointed attorney, I had trouble finding one.

The City of Grand Rapids Michigan allowed its police officers to report false information to the Michigan State Police so Mr. Martin could never purchase a gun, causing Mr. Martin mental stress, making Mr. Martin think that white people of Grand Rapids, MI are planning to kill black people. . . .

* * *

The City of Grand Rapids MI allowed its police officer to lie in court on Mr. Martin, the officer came to Mt. Mercy Apts. and told the Court, he did not see Mr. Martin, then officer told, Mrs. Kimberley Sleet to get a personal protection order of Mr. Martin, when Miss Sleet is the apartment manager, and Mr. Martin was a tenant and I have never given them any trouble. The police officers in Grand Rapids, MI know me, Mr. Martin, and know I did not like the way the white people in Grand Rapids treated black people. For instance, the white people had a parade, real nice in Grand Rapids, MI, but they had about seven black people in their parade, and it was embarrassing, their clothes did not fit and the 7 black people looked dirty, even the white people watching the parade, if you looked at these white people they were embarrassed. Because these 7 black people were grouped in a section by themselves.

Plaintiff's Compl. at 1-3, 6. Plaintiff's complaint goes on to allege that the City of Grand Rapids allowed Meijer, St. Mary's Hospital, Automobile Club of Michigan, Uptown Cleaners, Amway Grand Hotel, Meltrotter Mission, Comcast Cable Co., Herkimer Hotel and Associates, Sears Department Store, a Party Store on Division Avenue, the 61st District Court, Standard Federal Bank, the Grand Rapids Police Department, Cottage Bar & Restaurant, and the Grand Rapids Press to violate his rights and to cause him mental stress.

As observed by the Sixth Circuit, "a district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion." *Apple v. Green*, 183 F.3d 477, 479 (6th Cir. 1999). The Court finds that Plaintiff's complaint is, on its fact, totally implausible, frivolous, and devoid of merit. Accordingly, the Court hereby DISMISSES the action pursuant to Rule 12(b)(1).

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 26, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 26, 2006, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager